

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

SOFTVIEW LLC, )  
Plaintiff, )  
v. ) C.A. No. 10-389-LPS  
 )  
APPLE INC.; AT&T MOBILITY, LLC; DELL ) **DEMAND FOR JURY TRIAL**  
INC.; HTC CORP.; HTC AMERICA, INC.; )  
EXEDEA, INC.; HUAWEI TECHNOLOGIES CO., )  
LTD.; HUAWEI TECHNOLOGIES USA; )  
HUAWEI DEVICE USA INC.; KYOCERA CORP.; )  
KYOCERA WIRELESS CORP.; LG )  
ELECTRONICS, INC.; LG ELECTRONICS USA, )  
INC.; LG ELECTRONICS MOBILECOMM U.S.A., )  
INC.; MOTOROLA MOBILITY INC.; SAMSUNG )  
ELECTRONICS AMERICA, INC.; )  
TELECOMMUNICATIONS AMERICA LLC; )  
SONY ERICSSON MOBILE COMMUNICATIONS )  
AB; and SONY ERICSSON MOBILE )  
COMMUNICATIONS (USA) INC., )  
Defendants. )

**DECLARATION OF STUART ROSENBERG IN SUPPORT OF APPLE INC.'S AND  
AT&T MOBILITY LLC'S OPENING BRIEF IN SUPPORT OF MOTION TO STAY  
LITIGATION PENDING REEXAMINATION OF BOTH PATENTS-IN-SUIT**

OF COUNSEL:

Josh A. Krevitt  
H. Mark Lyon  
Stuart M. Rosenberg  
GIBSON DUNN & CRUTCHER LLP  
200 Park Avenue  
New York, NY 10166-0193  
Tel: (212) 351-2490

Richard L. Horwitz (#2246)  
David E. Moore (#3983)  
POTTER ANDERSON & CORROON LLP  
Hercules Plaza 6th Floor  
1313 N. Market Street  
Wilmington, DE 19899  
Tel: (302) 984-6000  
[rhorwitz@potteranderson.com](mailto:rhorwitz@potteranderson.com)  
[dmoore@potteranderson.com](mailto:dmoore@potteranderson.com)

*Attorneys for Defendants Apple Inc. and  
AT&T Mobility LLC*

Dated: November 23, 2011  
1036817/ 35692

I, Stuart M. Rosenberg, hereby declare as follows:

1. I am an Associate in the law firm of Gibson, Dunn & Crutcher LLP, and I represent Apple Inc. and AT&T Mobility LLC in the above-captioned matter. I have personal knowledge of the facts set forth in this declaration and, if called upon as a witness, I could and would testify to such facts under oath.

2. Attached as Exhibit A hereto is a true and correct copy of the Request for *Inter Partes* Reexamination filed in the United States Patent and Trademark Office on May 20, 2011, without exhibits, in the *Inter Partes* Reexamination given control number 95/000,634.

3. Attached as Exhibit B hereto is a true and correct copy of the Request for *Inter Partes* Reexamination filed in the United States Patent and Trademark Office on May 23, 2011, without exhibits, in the *Inter Partes* Reexamination given control number 95/000,635.

4. Attached as Exhibit C hereto is a true and correct copy of the Order Granting the Request for *Inter Partes* Reexamination issued by the United States Patent and Trademark Office on August 8, 2011, in the *Inter Partes* Reexamination given control number 95/000,634.

5. Attached as Exhibit D hereto is a true and correct copy of the Order Granting the Request for *Inter Partes* Reexamination issued by the United States Patent and Trademark Office on August 8, 2011, in the *Inter Partes* Reexamination given control number 95/000,635.

6. Attached as Exhibit E hereto is a true and correct copy of the third-party requester petition filed on September 9, 2011, in the *Inter Partes* Reexamination given control number 95/000,634.

7. Attached as Exhibit F hereto is a true and correct copy of the third-party requester petition filed on September 9, 2011, in the *Inter Partes* Reexamination given control number 95/000,635.

8. Attached as Exhibit G hereto is a true and correct copy of a September 21, 2011 letter to Stuart M. Rosenberg from Amir Naini of Irell & Manella, counsel for SoftView.

9. Attached as Exhibit H hereto is a true and correct copy of the office action issued by United States Patent and Trademark Office on September 30, 2011 in the *Inter Partes* Reexamination given control number 95/000,634.

10. Attached as Exhibit I hereto is a true and correct copy of the office action issued by United States Patent and Trademark Office on October 1, 2011 in the *Inter Partes* Reexamination given control number 95/000,635.

11. Attached as Exhibit J hereto is a true and correct copy of *Inter Partes Reexamination Filing Data as of September 30, 2011*, published by the United States Patent and Trademark Office at [http://www.uspto.gov/patents/IP\\_quarterly\\_report\\_September\\_2011.pdf](http://www.uspto.gov/patents/IP_quarterly_report_September_2011.pdf) (last visited November 22, 2011).

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 23<sup>rd</sup> day of November, 2011 in Mamaroneck, NY.

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/s/ *Stuart M. Rosenberg*  
Stuart M. Rosenberg

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**CERTIFICATE OF SERVICE**

I, David E. Moore, hereby certify that on November 23, 2011, the attached document was electronically filed with the Clerk of the Court using CM/ECF which will send notification to the registered attorney(s) of record that the document has been filed and is available for viewing and downloading.

I hereby certify that on November 23, 2011, the attached document was electronically mailed to the following person(s)

Steven L. Caponi  
BLANK ROME LLP  
1201 Market Street, Suite 800  
Wilmington, DE 19801  
[caponi@blankrome.com](mailto:caponi@blankrome.com)

Morgan Chu  
Samuel K. Lu  
Amir Naini  
Dorian S. Berger  
Craig Johnson  
IRELL & MANELLA LLP  
1800 Avenue of the Stars, Suite 900  
Los Angeles, CA 90067-4276  
[mchu@irell.com](mailto:mchu@irell.com)  
[slu@irell.com](mailto:slu@irell.com)  
[anaini@irell.com](mailto:anaini@irell.com)  
[cjohnson@irell.com](mailto:cjohnson@irell.com)  
[dberger@irell.com](mailto:dberger@irell.com)

By: /s/ David E. Moore  
Richard L. Horwitz  
David E. Moore  
Hercules Plaza, 6<sup>th</sup> Floor  
1313 N. Market Street  
Wilmington, Delaware 19899-0951  
(302) 984-6000  
[rhorwitz@potteranderson.com](mailto:rhorwitz@potteranderson.com)  
[dmoore@potteranderson.com](mailto:dmoore@potteranderson.com)